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DOCKET NO.: TAK-140-USAP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Serial No.: 09/666,184

Confirmation No.: 9127

Applicant: Kyoko MATSUMOTO

Art Unit: 3626

Filed: September 21, 2000

Examiner: Bleck, Carolyn M.

Docket No: TAK-140-USAP

Customer No: 28892

For: Method for Selecting Cosmetics

REQUEST FOR WITHDRAWAL
OF FINAL OFFICE ACTION

US Patent & Trademark Office
Customer Service Window, Mail Stop: RESPONSE - NO FEE
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

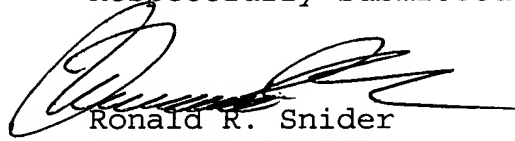
This paper is in response to the Office Action dated April 26, 2005. This Office Action has been made final. The claims in this case were not amended in the response to the previous Office Action. Applicant respectfully requests withdrawal of the final rejection because the final rejection introduces new grounds of rejections that were neither necessitated by Applicants amendment of the claims, nor based upon information in an Information Disclosure Statement (see MPEP § 706.07(a)).

In the outstanding Office Action, the Examiner has for the first time rejected claims 1 - 8 under 35 USC § 112 (first paragraph) and also rejected claims 1 - 8 under 35 USC § 112 (second paragraph). Applicant has never had an opportunity to respond to either of these of rejections.

The above rejections could and should have been made at the time of the first Office Action.

It is, therefore, respectfully requested that the Examiner withdraw the finality of the Office Action.

Respectfully submitted,



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Date: May 5, 2005

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